

## **Exhibit A**

In re Application of: Amel AMBLARD

Serial No.: 10/645,326

Filed: August 21, 2003

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JAN 23 2008

PATENT  
Attorney Docket No. 8707-2161  
163 B - Gestion Capteur

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Amel AMBLARD

Title: ADJUSTMENT OF THE ATRIAL SENSITIVITY IN AN ACTIVE  
IMPLANTABLE MEDICAL DEVICE SUCH AS CARDIAC  
PACEMAKER

Serial No.: 10/645,326

Filed: August 21, 2003

Art Unit: 3762

Examiner: George Robert Evanisko

Confirmation: 7566

Mailing Date of: August 23, 2007  
Office ActionMail Stop: Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

## DECLARATION UNDER 37 C.F.R. 1.132

I, Laurent Bourdat, declare that:

1. I am Laurent Bourdat, Patent Manager at ELA Medical (Paris, France). I studied the English language in school for ten years. Throughout my eight years of professional experience, I have used English on a daily basis. I have also lived among English speakers for a period of time totaling ten months. I have extensive experience and knowledge regarding translating French to English, including technical language. I have personal knowledge of the fact stated in this declaration or have confirmed the accuracy of same through review of documents and/or discussions with others. Although English is not my native language, I read and write in the English language without need for a translator.

2. I am an employee of Ela Medical or Sorin Biomedica. No part of my compensation is dependant upon the outcome of this patent application.

3. I am familiar with United States Patent Application No. 10/645,326, which I understand also is referred to as "Ela 163B" and "Gestion Capteur" and with the Official Action dated August 23, 2007.

OHS East:160373169.1

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Attorney Docket No. 8707-2161  
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4. I am familiar with French Patent Application No. 02 10458, filed August 21, 2002.
5. This declaration is being submitted to rectify a mistranslation from the French Patent Application No. 02 10458, filed August 21, 2002, from which the above-identified United States Patent Application claims priority.
5. Page 1, line 34 through page 2, line 3 of the French Patent Application recites, "la détection et la correction des défauts de capture ou de sous-détection auriculaires permet d'éviter un basculement inapproprié en mode DDD, évitant de stimuler le ventricule inutilement et palliant ainsi les possibles effets délétères, du point de vue hémodynamique, d'une telle situation inappropriée." This passage is accurately translated, "the detection and correction of the defects of atrial capture or atrial under-detection are employed to avoid inappropriate switching to operating in a conventional DDD mode. This avoids unnecessarily stimulating the ventricle, and thus mitigates the possible noxious effects, from the hemodynamic point of view, of delivering such an inappropriate therapy."

The undersigned being warned that willful false statements and the like are punishable by fine or imprisonment or both, under 18 U.S.C. § 1001, and that such willful false statements and the like may jeopardize the validity of the application or any patent issuing therefrom, declares that all statements made of his own knowledge are true and that all statements made on information and belief are believed to be true.

Respectfully submitted,

Date: January 23, 2008

Laurent BOURDAT  
Name:  
LAURENT BOURDAT